REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed November 17, 2004. Reconsideration and allowance of the application and pending claims are respectfully requested.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Yan, et al. ("Yan," U.S. Pat. No. 6,003,065). Applicant respectfully traverses this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

As is identified in the foregoing, each of Applicant's independent claims has been amended. In view of those amendments, Applicant submits that the outstanding rejection is moot as having been drawn against Applicant's claims in a previous form. Applicant therefore respectfully requests that the rejection be withdrawn. Applicant briefly discusses Applicant's claims and the Yan reference in the following, however, for the Examiner's consideration.

Yan discloses a method and system for distributed processing. As is described by Yan, each of a host computer system and a plurality of peripheral devices (e.g., printer, camera, telephone, HDTV, scanner, and stereo) of that system is provided with a processor 106 that implements a virtual machine instruction processor 108. Yan, column 6, line 52 to column 7, line 15. The virtual machine instruction processor 108 is

used to process virtual machine instructions, such as JAVA instructions, that control

operation of the various peripheral devices. Yan, column 7, lines 9-16. Yan provides a

specific example in relation to a printer in column 8:

> In operation, virtual machine instruction processor 214 in FIG.
> 2 is used in a peripheral device such as printer 102B (FIG. 1) to fetch
> virtual machine instructions from primary storage 216 through input-
> output interface 224. After retrieving the virtual machine instructions,
> virtual machine instruction processor 214 then executes the
> instructions. Executing these computer instructions enables virtual
> machine instruction processor 214 to retrieve data or write data to
> primary storage 216, display information on one or more computer
> display devices (not shown), receive command signals from one or
> more input devices (not shown), or transmit the appropriate signals
> through peripheral engine interface 220 causing a peripheral device to
> operate. These virtual machine instructions can also retrieve data or
> write data to secondary storage 218, host computer 102A (FIG. 1), or
> other peripheral devices coupled to network 100 (FIG. 1). (Yan,
> column 8, lines 25-39)

In view of the above, it is clear that Yan's system requires a virtual machine

instruction processor. Applicant's claims, however, explicitly indicate that no such

processor is required or is present. For example, independent claims 1 and 13 provide

as follows (emphasis added):

> 1. A method for communicating image data to an electrical
> device, comprising:
> transmitting a device identification to the electrical device in a
> universal image capture language *that is executable without a virtual
> machine instruction processor*; and

transmitting image data to the electrical device.

13.   An image capture device, comprising:

a processing device adapted to control operation of the image capture device;

an image capture module;

a communication module that communicates in a universal image capture language *that is executable without a virtual machine instruction processor*;

image capture hardware adapted to retrieve and store image data; and

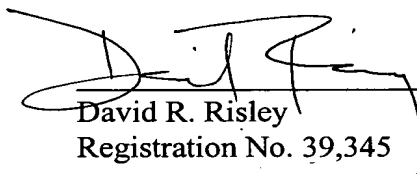a device interface adapted to facilitate communication with other devices;

wherein the image capture device does not comprise a virtual machine instruction processor.

Applicant respectfully submits that Applicant's claims are allowable over Yan at least for the recitations regarding the lack of need for or absence of a virtual machine instruction processor.
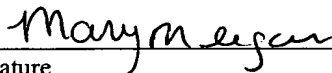
CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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Signature